

June 6, 2011

**VIA ECFS**

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
Office of the Secretary  
445 Twelfth Street, S.W., Room TW-A325  
Washington, D.C. 20554

Re: ***In re Applications of AT&T Inc. & Deutsche Telekom AG for Consent to Assign or Transfer Control of Licenses & Authorizations, WT Dkt No. 11-65 – Withdrawal of Objection to Disclosure of Confidential and Highly Confidential Information to Dr. Lee L. Selwyn and Colin B. Weir***

---

Dear Ms. Dortch:

Pursuant to the Protective Orders for the AT&T/T-Mobile USA proceeding,<sup>1</sup> on May 16, 2011, AT&T Inc. (“AT&T”), Deutsche Telekom AG (“Deutsche Telekom”), and T-Mobile USA, Inc. (“T-Mobile”; collectively with AT&T and Deutsche Telekom, “Applicants”) objected to the Acknowledgments of Confidentiality (“Acknowledgments”) filed in the above-referenced docket on behalf of Dr. Lee L. Selwyn and Colin B. Weir (collectively, “ETI”).<sup>2</sup> Applicants hereby withdraw their Objection.

On June 1, 2011, Dr. Selwyn and Mr. Weir submitted additional Acknowledgments as Outside Counsel to the Ad Hoc Telecommunications Users Committee.<sup>3</sup> Applicants had objected to Dr. Selwyn and Mr. Weir on the basis that the only client they had identified at the time, Mr. Butch Watson, was an individual with close ties to several attorneys at Bursor & Fisher, P.A. (collectively, the “Bursor Firm”), a law firm representing client in active litigation against AT&T.<sup>4</sup> Applicants remain concerned that providing a law firm actively litigating against AT&T with access to confidential and highly confidential information to “raises precisely the same risks as

---

<sup>1</sup> *In re Applications of AT&T Inc. & Deutsche Telekom AG for Consent to Assign or Transfer Control of Licenses & Authorizations*, WT Dkt No. 11-65, NRUF/LNP Protective Order, DA 11-711 (WTB rel. Apr. 18, 2011) (“*NRUF/LNP Protective Order*”).

<sup>2</sup> See Letter from Peter J. Schildkraut, Arnold & Porter LLP, and Nancy J. Victory, Wiley Rein LLP, to Marlene H. Dortch, Secretary, FCC (May 16, 2011).

<sup>3</sup> See Letter from Amanda J. Delgado, Levin, Blaszak, Block & Boothby LLP to Marlene H. Dortch, Secretary, FCC (June 1, 2011).

<sup>4</sup> See Letter from Peter J. Schildkraut, Arnold & Porter LLP, and Nancy J. Victory, Wiley Rein LLP, to Marlene H. Dortch, Secretary, FCC (May 12, 2011) (“*Bursor Objection*”).

Marlene H. Dortch

June 6, 2011

Page 2

providing access to counsel engaged in Competitive Decision-Making,”<sup>5</sup> particularly given the law firm’s ethical obligations to represent its client zealously. However, the identification of the Ad Hoc Telecommunications Users Committee as a client of ETI allay Applicants’ concerns regarding their participation in this transaction due solely to its relationship to the Bursor Firm. As such, Applicants respectfully withdraw their objection.

Please contact us should you have any questions.

Respectfully submitted,

/s/ Theodore D. Frank

Theodore D. Frank  
Arnold & Porter LLP  
555 Twelfth Street, N.W.  
Washington, D.C. 20004  
202-942-5790

Counsel for AT&T Inc.

/s/ Nancy J. Victory

Nancy J. Victory  
Wiley Rein LLP  
1776 K Street, N.W.  
Washington, D.C. 20006  
202-719-7344

Counsel for Deutsche Telekom AG  
and T-Mobile USA, Inc.

cc: Attached Service List

---

<sup>5</sup> Bursor Objection at 1. Undefined capitalized terms have the meanings supplied in the *NRUF/LNP Protective Order*.

## CERTIFICATE OF SERVICE

I hereby certify that on this sixth day of June, 2011, I caused true and correct copies of the foregoing to be served by electronic mail upon:

Best Copy and Printing, Inc.  
445 Twelfth Street, S.W.  
Room CY-B402  
Washington, D.C. 20554  
FCC@BCPIWEB.COM

Kathy Harris, Esq.  
Mobility Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
1250 Maryland Avenue, S.W.  
Room 6329  
Washington, D.C. 20554  
kathy.harris@fcc.gov

Ms. Kate Matraves  
Spectrum and Competition Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Room 6528  
Washington, D.C. 20554  
catherine.matraves@fcc.gov

Jim Bird, Esq.  
Office of General Counsel  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Room 8-C824  
Washington, D.C. 20554  
jim.bird@fcc.gov

Mr. Colin B. Weir  
Vice President  
Economics and Technology, Inc.  
One Washington Mall - 15<sup>th</sup> Floor  
Boston, MA 02108  
cweir@econtech.com

/s/ Shelia Swanson  
Shelia Swanson  
Senior Legal Assistant  
Arnold & Porter LLP